

April 3, 2009



The Honorable Michael J. Copps
Acting Chairman
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Jack J. Pelton
Chairman, President &
CEO

Re: Ex Parte Statement ET Docket No. 08-59

Dear Acting Chairman Copps:

Cessna Aircraft Company ("Cessna") understands that the Commission has under consideration a possible Notice of Proposed Rule Making (NPRM) on a controversial matter of importance to the aerospace community; namely, the proposal by GE Healthcare ("GEH") for an allocation in the band 2360-2390 MHz which is restricted for flight testing. Cessna urges you and the other Commissioners to consider several factors before taking such a step.

First, extensive testing has demonstrated that GEH's Body Sensor Networks (BSNs) and flight test telemetry cannot safely operate (i.e. without interference) in the same spectrum. This raises serious issues, both in situations involving BSN interference to reception of aircraft telemetry (a flight safety issue) and interference from aircraft flight test telemetry to patient cardiac monitors and the like. DoD's Joint Spectrum Center is conducting an independent evaluation of these issues and GEH's requirement for 40 MHz of spectrum, and we urge the Commission to await those results before acting.

Second, GEH's proposal for exclusion zones is not practical. Hospitals are not well equipped to observe spectrum regulations, as GEH itself has conceded in another Commission proceeding. Yet, it is hospitals and similar health care facilities that GEH would have the Commission and my Company turn to for compliance. The costs of interference to flight testing, both in terms of the potential for loss of human life and property damage, should not be left at such risk.

April 3, 2009

Page two

Third, Cessna urges the Commission to consider other areas of the spectrum for BSNs. GEH has not provided sufficient data to justify the amount of spectrum it is requesting. There is nearby spectrum available, right now, that could satisfy GEH's real needs without jeopardizing a vital government and commercial mission. Why create an extended, costly, win-lose situation for one party when the possibility exists today for a mutually beneficial, win-win situation for all parties involved? If and when the Commission does determine to consider an NPRM, it is essential that it be broad enough to include basic issues such as those discussed in this letter.

Thank you for your consideration of our comments.

Sincerely,

A handwritten signature in dark ink, appearing to read "J. J. Pelton", with a stylized flourish at the end.

Jack J. Pelton

cc: The Honorable Jonathan S. Adelstein
The Honorable Robert M. McDowell